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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/516,409 | 06/27/2005 | Robert James Laing | GH-PAK-0001 | 2836 |
| 47649 | 7590 | 10/06/2006 | EXAMINER | |
| KENNETH M. FAGIN 136 SUMMER WALK DRIVE GAITHERSBURG, MD 20878 | | | HUYNH, LOUIS K | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3721 | |
| DATE MAILED: 10/06/2006 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.

10/516.409

Applicant(s)

LAING ET AL.

Examiner

Louis K. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-111 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-111 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.
2. This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.
3. In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.
 - Group I, claim(s) 1-7, drawn to a flexible pouch.
 - Group II, claim(s) 8-22, drawn to a container.
 - Group III, claim(s) 23-27, drawn to a pallet.
 - Group IV, claim(s) 28-52, drawn to a packaging system.
 - Group V, claim(s) 53-59, drawn to a method of maneuvering pouches.
 - Group VI, claim(s) 6072, drawn to a system for handling containers.
 - Group VII, claim(s) 73-92, drawn to a pallet handling apparatus.
 - Group VIII, claim(s) 93-99, drawn to a filling and heat sealing apparatus.
 - Group IX, claim(s) 100-106, drawn to a seal integrity monitoring system.
 - Group X, claim(s) 107-111, drawn to a method for inspecting a seal.
4. The inventions listed as Groups I-X do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

- Group I does not need the special technical feature of the open bottom as required in group II; and group II does not need the special technical feature of the closed base as required in group I.
- Group I does not need the special technical feature of the plurality of locators as required in group III; and group III does not need the special technical feature of the transparent region in one of the pouch's walls as required in group I.
- Group I does not need the special technical feature of the transporter as required in group IV; and group IV does not need the special technical feature of the transparent region in one of the pouch's walls as required in group I.
- Group I does not need the special technical feature of stackable containers as required in group V; and group V does not need the special technical feature of the transparent region in one of the pouch's walls as required in group I.
- Group I does not need the special technical feature of the carriages as required in group VI; and group VI does not need the special technical feature of the transparent region in one of the pouch's walls as required in group I.
- Group I does not need the special technical feature of the conveyors as required in group VII; and group VII does not need the special technical feature of the transparent region in one of the pouch's walls as required in group I.
- Group I does not need the special technical feature of a camera as required in group VIII; and group VIII does not need the special technical feature of the front and rear panels of the pouch being jointed along opposite side edges as required in group I.

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- Group I does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the front and rear panels of the pouch being jointed along opposite side edges as required in group I.
- Group I does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the front and rear panels of the pouch being jointed along opposite side edges as required in group I.
- Group II does not need the special technical feature of the pallet body as required in group III; and group III does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of transporter as required in group IV; and group IV does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of the transporter as required in group V; and group V does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of the carriages as required in group VI; and group VI does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of the conveyors as required in group VII; and group VII does not need the special technical feature of the supporting elements as required in group II.

- Group II does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the supporting elements as required in group II.
- Group II does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the supporting elements as required in group II.
- Group III does not need the special technical feature of the transporter as required in group IV; and group IV does not need the special technical feature of pallet body as required in group III.
- Group III does not need the special technical feature of transporter as required in group V; and group V does not need the special technical feature of pallet body as required in group III.
- Group III does not need the special technical feature of the carriages as required in group VI; and group VI does not need the special technical feature of the locator elements as required in group III.
- Group III does not need the special technical feature of the conveyors as required in group VII; and group VII does not need the special technical feature of the locator elements as required in group III.

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- Group III does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the locator elements as required in group III.
- Group III does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the locators as required in group III.
- Group III does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the locators as required in group III.
- Group V does not need the special technical feature of either the ancillary processing station or the packaging station as required in group IV.
- Group IV does not need the special technical feature of the first and second carriages as required in group VI; and group VI does not need the special technical feature of the ancillary processing station as required in group IV.
- Group IV does not need the special technical feature of the conveyor for conveying pallets as required in group VII; and group VII does not need the special technical feature of the ancillary processing station as required in group IV.
- Group IV does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the packaging station as required in group IV.

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- Group IV does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the packaging station as required in group IV.
- Group IV does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the packaging station as required in group IV.
- Group V does not need the special technical feature of the carriage as required in group VI; and group VI does not need the special technical feature of the filling and heat sealing means as required in group V.
- Group V does not need the special technical feature of the conveyor for conveying pallets as required in group VII; and group VII does not need the special technical feature of the transporter for transporting containers as required in group V.
- Group V does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the transporter for transporting containers as required in group V.
- Group V does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the transporter for transporting containers as required in group V.
- Group V does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the transporter for transporting containers as required in group V.

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- Group VI does not need the special technical feature of the conveyors for conveying pallets as required in group VII; and group VII does not need the special technical feature of the carriages for moving the containers as required in group VI.
- Group VI does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the carriages for moving the containers as required in group VI.
- Group VI does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the carriages for moving the containers as required in group VI.
- Group VI does not need the special technical feature of the camera as required in group X; and group X does not need the special technical feature of the carriages for moving the containers as required in group VI.
- Group VII does not need the special technical feature of the camera as required in group VIII; and group VIII does not need the special technical feature of the conveyor for conveying the pallets as required in group VII.
- Group VII does not need the special technical feature of the camera as required in group IX; and group IX does not need the special technical feature of the conveyor for conveying the pallets as required in group VII.
- Group VIII does not need the special technical feature of the translucent region on one side of the pouch as required in group IX; and group IX does not need the special technical feature of the moving means as required in group VIII.

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- Group VIII does not need the special technical feature of the translucent region on one side of the pouch as required in group X; and group X does not need the special technical feature of the moving means as required in group VIII.
- Group X does not need the special technical feature of the light source as required in group IX because the transparent region on the pouch of group X can be irradiated with other energy sources such as microwave, for example.

5. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

6. The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

7. Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

8. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

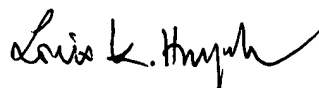
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currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is 571-272-4462. The examiner can normally be reached on M-F from 8:00AM to 3:00PM.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Louis K. Huynh
Primary Examiner
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September 29, 2006